

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VERNON HAWKINS : CIVIL ACTION  
Petitioner :  
v. :  
JOHN E. WETZEL, et al : No. 14-cv-03057-BMS  
Respondent :

FILED

JUL 11 2016

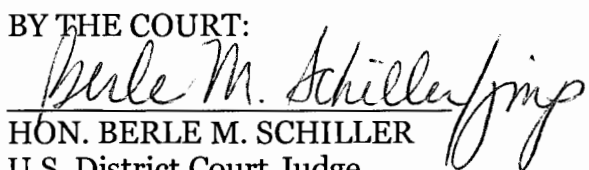
MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep Clerk

ORDER

AND NOW, this 11 day of July, 2016, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Richard A. Lloret, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for writ of habeas corpus is CONDITIONALLY GRANTED as to Petitioner's conviction under Pennsylvania's Corrupt Organizations Act, 18 Pa.C.S. § 911. See August 9, 1994 concurrent sentence of 10-20 years on bill no. CP 9105-0931, CP-51-CR-050922101991.
3. Execution is STAYED for 180 days to permit respondents to initiate proceedings in the Philadelphia Court of Common Pleas to vacate only that conviction in the above-referenced case and re-sentence Petitioner accordingly. If respondents do not initiate proceedings to vacate that conviction within 180 days, Petitioner may apply for a writ ordering respondents to release him from custody.
4. In all other respects, the petition for writ of habeas corpus is DENIED.

BY THE COURT:

  
HON. BERLE M. SCHILLER  
U.S. District Court Judge